

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

VALERIE DICKS, on behalf of herself and all  
others similarly situated, an individual,

Plaintiffs,

v.

COOKS JUNCTION, INC.  
a California corporation,

Defendant.

Case No. 1:22-cv-6495-LJL

**DECLARATION OF KATHERINE JANES IN SUPPORT OF MOTION TO DISMISS  
PLAINTIFF'S COMPLAINT**

I, Katherine Janes, hereby declare:

1. I am over 18 years of age and am a named defendant in this action. I have personal knowledge of the facts stated herein and if called as a witness, I could and would testify competently to them.

2. I am an officer of defendant Cook's Junction, Inc. Cook's Junction is a foreign business limited liability company, organized under the laws of the State of California on or about November 5, 2020. This fact is confirmed by the Certificate from the California Office of the Secretary of State, dated November 5, 2020, certifying receipt and recordation of Cook's Junction's Articles of Incorporation, a true and correct copy of which is attached hereto as Exhibit 1.

3. At all times relevant to this case, Cook's Junction's headquarters has been and still is located at 261 Main Street Los Altos, California, 94063, which is where the Summons and Complaint were personally served.

4. Cook's Junction owns [www.Cooksjunction.com](http://www.Cooksjunction.com) (the "Website") which is maintained at its offices in California and where its servers are located.

5. Cook's Junction is *not* registered to do business in New York. A true and correct copy of the printout from the New York Secretary of State's Office showing all businesses registered in New York that begin with "Cook" is attached hereto as Exhibit 2.

6. Cook's Junction does not do business in the State of New York. At most, its website is equally accessible to persons located in New York, Texas or Afghanistan. Approximately 5.29% of Cook's Junction's total sales for *five* years originated unsolicited from New York residents – just 163 orders out of 3,079.

7. Contrary to the allegations in the FAC, Cooks' Junction does not sell any of its products through third party retail stores. In fact, Cooks' Junction does not have a line of products to sell. Cooks' Junction only sells products from third-party vendors and doesn't resell those products to any stores.

8. Cook's Junction also does not maintain any office, employees, agents, sales agent or any other business facility in New York. Cook's Junction has not appointed or authorized any agent to accept service of process for it located in New York.

9. Cook's Junction does not own or rent real estate, personal property or any other facility in New York.

10. Cook's Junction does not use any New York address as its business address.

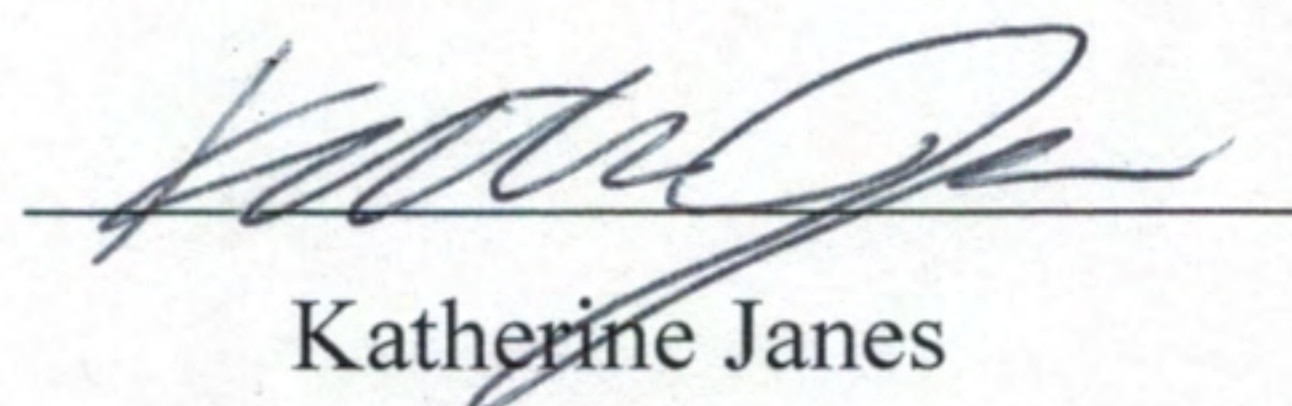
11. Cook's Junction does not have or maintain any banking or other financial accounts in New York.



12. Cooks' Junction does not have any employees or sales representatives in New York.

13. Cooks' Junction does not specifically advertise in New York nor does it target or seek out any New York based customers.

I hereby declare under penalty of perjury under the laws of the State of New York and the United States, that the foregoing is true and correct. Signed this 27<sup>th</sup> day of December, 2022 at Los Altos, California.



Katherine Janes



**CERTIFICATE OF SERVICE**

I hereby certify that on the 4<sup>th</sup> day of January, 2023 a true and correct copy of the foregoing Declaration of Katherine Janes was served via the Court's ECF filing system upon all counsel of record.

s/ Philip H. Stillman  
Philip H. Stillman





## California Secretary of State Electronic Filing



### General Stock Corporation - Articles of Incorporation

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Entity Name: Cooks Junction, Inc.  
 Entity (File) Number: C4661543  
 File Date: 11/05/2020  
 Entity Type: General Stock Corporation  
 Jurisdiction: California

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#### Detailed Filing Information

1. Corporate Name: Cooks Junction, Inc.
  2. Business Addresses:
    - a. Initial Street Address of Corporation: 261 Main Street  
 Los Altos, California, 94063  
 United States of America
    - b. Initial Mailing Address of Corporation: 261 Main Street  
 Los Altos, California, 94063  
 United States of America
  3. Agent for Service of Process:
 

Individual Agent: Robert R Schmidt  
 698 MacArthur Avenue  
 Redwood City, California, 94063  
 United States of America
  4. Shares: 10000000
  5. Purpose Statement: The purpose of the corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business or the practice of a profession permitted to be incorporated by the California Corporations Code.
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The incorporator affirms the information contained herein is true and correct.

Incorporator: Robert Raymond Schmidt





Department of State  
Division of Corporations

Entity Search Results

A total of 26 entities were found. If the entity name you are searching is not displayed please refine the search.

Search

| Name   | DOS ID # | Assumed Name ID # | Status   | Entity Type                         | Date of First Filing | County      |
|--|----------|-------------------|----------|-------------------------------------|----------------------|-------------|
| COOK'S 1265 CORPORATION                            | 722716   |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 09/16/1981           | Westchester |
| COOK'S COLLISION, INC.                             | 238122   |                   | Active   | DOMESTIC BUSINESS CORPORATION       | 11/09/1973           | Wayne       |
| COOK'S CONSTRUCTION & RESTORATION CONSULTANTS INC. | 2349225  |                   | Active   | DOMESTIC BUSINESS CORPORATION       | 02/24/1999           | Cayuga      |
| COOK'S CORNER INC.                                 | 640032   |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 07/21/1980           | Nassau      |
| COOK'S COUNTRY STORE, INC.                         | 1685565  |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 12/08/1992           | Wayne       |
| COOK'S COZY CORNER, INC.                           | 1421060  |                   | Active   | DOMESTIC BUSINESS CORPORATION       | 02/07/1990           | Erie        |
| COOK'S CUPBOARD, INC.                              | 617306   |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 03/27/1980           | Oneida      |
| COOK'S DELI INC.                                   | 1827192  |                   | Active   | DOMESTIC BUSINESS CORPORATION       | 06/08/1994           | Saratoga    |
| COOK'S DRIVE-IN, INC.                              | 769054   |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 05/10/1982           | Erie        |
| COOK'S DRY CLEANING OF CLAY, INC.                  | 1368289  |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 07/13/1989           | Onondaga    |
| COOK'S DRY CLEANING, INC.                          | 329542   |                   | Active   | DOMESTIC BUSINESS CORPORATION       | 05/08/1972           | Onondaga    |
| COOK'S FARM STANDS INC.                            | 1006654  |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 06/21/1985           | Delaware    |
| COOK'S GENERAL CONTRACTING INCORPORATED            | 5374296  |                   | Active   | DOMESTIC BUSINESS CORPORATION       | 07/12/2018           | Saratoga    |
| COOK'S GLASS, INC.                                 | 3840339  |                   | Active   | DOMESTIC BUSINESS CORPORATION       | 08/03/2009           | Rockland    |
| COOK'S MANUFACTURING JEWELERS, INC.                | 1753820  |                   | Active   | DOMESTIC BUSINESS CORPORATION       | 09/01/1993           | Jefferson   |
| COOK'S MEN SHOP, INC.                              | 1256602  |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 04/27/1988           | Erie        |
| COOK'S NIGHT OFF, INC.                             | 731260   |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 12/18/1981           | Albany      |
| COOK'S OIL SERVICE, INC.                           | 199666   |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 06/20/1966           | Seneca      |
| COOK'S PEST CONTROL INC.                           | 3619757  |                   | Active   | DOMESTIC BUSINESS CORPORATION       | 01/18/2008           | Kings       |
| COOK'S RETAILING, INC.                             | 2504879  |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 05/01/2000           | Montgomery  |
| COOK'S SAFE HARBOR, INC.                           | 4017206  |                   | Active   | DOMESTIC NOT-FOR-PROFIT CORPORATION | 11/09/2010           | Rensselaer  |
| COOK'S SERVICE CORP.                               | 1102545  |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 08/05/1986           | Richmond    |
| COOK'S SUPPLY CORP.                                | 44277    |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 02/08/1933           | New York    |
| COOK'S TAVERN CORP.                                | 3482032  |                   | Active   | DOMESTIC BUSINESS CORPORATION       | 02/27/2007           | Suffolk     |
| COOK'S TIRE & AUTOMOTIVE CENTER, INC.              | 985653   |                   | Active   | DOMESTIC BUSINESS CORPORATION       | 04/01/1985           | Allegany    |
| COOK'S WORLD KITCHEN SUPPLY, INC.                  | 1095471  |                   | Inactive | DOMESTIC BUSINESS CORPORATION       | 07/03/1986           | New York    |

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